

25 July 1973

MEMORANDUM FOR: Deputy Director for Operations  
(Attention: Eloise Page)

Deputy Director for Science and Technology  
(Attention: Ernest J. Zellmer)

Director, National Foreign Assessment Center  
(Attention: Paul Walsh)

General Counsel  
(Attention: )

FROM: Michael J. Malanick  
Associate Deputy Director for Administration

SUBJECT: Action Plan for Implementation of  
Executive Order 12065

STAT

As a result of our meeting this morning, a finalized version of the Action Plan for Implementation of Executive Order 12065 is submitted for your review and approval. If you find that all items discussed are reflected as agreed upon, I would appreciate you signing the attached document so that we can commence work on this undertaking as soon as possible.

/s/ Michael J. Malanick  
Michael J. Malanick

Attachment: a/s

cc: D/Sec (Attention: )  
DTR (Attention: Harry Fitzwater)

Distribution:  
Original - To be returned to ADDA w/att.  
1 - Each Adse w/att.  
1 - AI/DDA w/att.  
① - C/ISAS w/att.

ACTION PLAN FOR  
DDA ASSIGNED TASKS  
ASSOCIATED WITH THE IMPLEMENTATION OF  
EXECUTIVE ORDER 12065

The DDA assigned tasks associated with the implementation of the new Executive Order have been grouped under one of the following four general headings:

- Classification/Declassification/Mandatory Review
- Markings
- Training
- Safeguarding

#### TASK FORCES

Individual task forces will be established to handle each of the four areas listed above. The first three task forces will be chaired by ISAS representatives while the fourth will be chaired by a representative from the Office of Security. C/ISAS will function as the coordinator between all task forces.

A representative from each of the four Directorates and OGC will be appointed to each task force to form the basic working group. Additional members can be requested by each Chairman if and when the need arises. Once formed, each task force will be organized internally to handle their individual program elements in the most efficient manner.

#### DIRECTORATE SUPPORT

To obtain and maintain the shortest possible response time from the four Directorates, it is recommended that the job responsibilities for the four individuals who are currently functioning as the senior Declassification Focal Point Officers for each Directorate be expanded to include all coordination activities associated with the development and implementation of this program. It is further recommended that where practical, those individuals within each Directorate that were tasked with helping to develop declassification guidelines, be designated to assist the Declassification Focal Point Officers with all coordination activities. The above structure worked extremely well in developing the declassification guidelines and should function equally as well in helping to develop and coordinate this program.

#### ACTUAL PROGRAM IMPLEMENTATION

Within the DDA, records management personnel will be playing an extremely important role in the actual implementation of the new E.O. This role will be to act as the means for transmitting to Agency personnel the actual instructions on what actions are required and how they are to

be done. In this role they will also serve as convenient points of contact for the multitude of questions that are sure to be raised as actual implementation efforts move forward. Involvement of these personnel will be through the Directorate Records Management Officer who will participate in and be kept fully informed on all aspects of the implementation program.

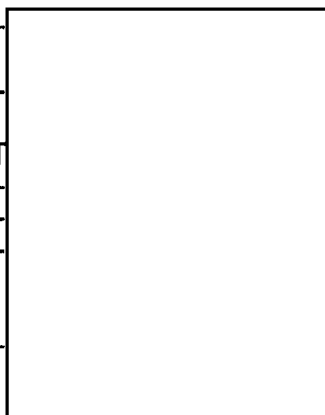
How this program will be implemented within the other Directorates is something that should be decided upon at the earliest possible date.

#### WORK ASSIGNMENTS

##### I. CLASSIFICATION/DECLASSIFICATION/MANDATORY REVIEW

###### A. TASK FORCE - Chairman -

DDO -  
NFAC  
DDS&T  
DDA -  
OGC -  
IPS -  
  
OS -  
RAB -



STAT

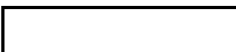
B. Approach - Will be to combine classification with declassification and develop common guidelines covering both aspects. To meet known requirements of the new E.O. both classified and unclassified guidelines will have to be developed. Since the system established for the development and approval of the current Agency declassification guidelines is still in existence, it is planned that this same system will be used to obtain overall coordination and approval for all guidelines that will be developed. Applicable regulations will be written/rewritten.

C. Problems - No specific problems have been identified.

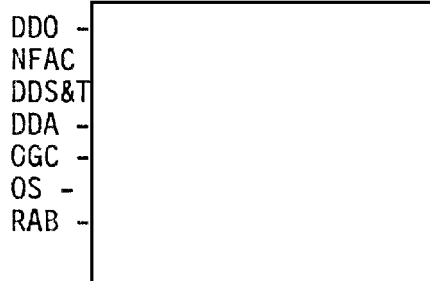
D. Time Frame - In-house guidelines and regulations should be ready for formal coordination and approval by 1 October 1978. This will allow two months to complete this process so that they will be ready for use by the Agency on 1 December 1978. Unclassified guidelines for outside approval and publication in the Federal Register must be completed by 1 June 1979.

##### II. MARKINGS

###### A. TASK FORCE - Chairman -



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B. Approach - All classification markings and controls now in use throughout the Agency will have to be reviewed in light of the implementing order for the new E.O. to determine what changes will be required and how these changes should be implemented. Initial requirement will be to get OGC guidance on what markings and controls the implementing order for the new E.O. will probably allow so preliminary work can start as soon as possible. Applicable regulations will be written/rewritten.

The initial instructions and procedures dealing with markings will have to be followed by a detailed handbook on how these general procedures are to work, i.e., size and position of markings.

C. Problems - It is anticipated that due to the great number of individual interests involved in this general area a significant number of problems may be encountered.

D. Time Frame - All proposals ready for formal coordination and approval by 1 October 1978. All newly required stamps ready for distribution by 1 November 1978.

### III. TRAINING

A. TASK FORCE - Chairman

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graph LR; OGC --- Box; RAB --- Box; OS --- Box; OTR --- Box;
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B. Approach - Identify those elements that the new E.O. requires must be addressed and work with OTR to develop the most effective means of getting required information to all levels of the Agency. Special emphasis should be placed on determining whether an audio-visual presentation would be the most effective way to inform all Agency personnel on the changes the new E.O. brings to the current classification process. Applicable regulations will be written/rewritten.

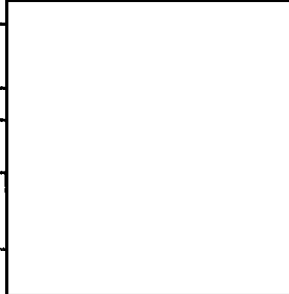
C. Problems - No special problems have been identified as of this time.

D. Time Frame - Programs and procedures ready for in-house formal approvals by 1 October 1978. Actual training of employees to start by 1 November 1978.

#### IV. SAFEGUARDING

##### A. TASK FORCE - Chairman

DDA  
DDO  
  
DDS&  
NFAC  
OGC  
OS -



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B. Approach - Identify those elements of the new E.O. relating to the safeguarding of classified material that require implementation through revision of Agency regulations. The Office of Security has been preparing revised security regulations which will serve as a take-off point for the changes necessitated by the E.O. Specifically, the new regulations will replace the extant HR

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C. Problems - The principal problem associated with the implementation of safeguarding policy is caused by the fact that Headquarters Regulations depend largely on the development of the implementation directive for E.O. 12065. As a result, the promulgation of the implementing directive will be the pacing item.

D. Time Frame - Initial drafts on which to build the revised Headquarters Regulations are already available. They will be modified to be consistent with the implementing directive as it is developed. Assuming promulgation of the implementing directive by 30 September, final drafts of the Headquarters Regulations should be submitted to the Regulations Control Branch by 31 October.

#### V. APPROVALS/ACTION REQUIRED

1. Approval of the attached Headquarters Notice describing what is being done within the Agency to prepare for the implementation of the new E.O.

2. Approval for the use of senior Directorate Declassification Focal Point Officers and supporting structures in implementing the new E.O.

3. Appointment of representatives to the various task forces and agreement that additional personnel will be made available if required.

4. Coordination and approval of the final implementation package will be handled within the respective Directorates and independent offices by the below listed signatories.

APPROVED:

STAT

[Redacted Signature Box]

Directorate of Administration

26 July 1978  
Date

STAT

[Redacted Signature Box]

Eloise Page  
Directorate of Operations

26 July 78  
Date

STAT

[Redacted Signature Box]

Directorate of Science and Technology

26 July 78  
Date

STAT

[Redacted Signature Box]

Paul Walsh  
National Foreign Assessment Center

7-26-78  
Date

STAT

[Redacted Signature Box]

Office of General Counsel

7-26-78  
Date

☒ UNCLASSIFIED

INTERNAL

☐ CONFIDENTIAL☐ SECRET

Approved For Release 2006/04/19 : CIA-RDP86-00674R000300090004-4

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Comments on "Mandatory Review for Declassification"

FROM:

IPS/DDA, 2E50

EXTENSION

NO.

DATE

27 October 1978

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. C/ISAS/DDA, GG14

2.

3.

4.

5.

6.

7.

8.

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12.

13.

14.

15.

Mark:

I have no real problems with this. There is one ~~small~~ change I would suggest in 3-504. Our experience has been that many of the non-CI documents referred to the Agency by NARS are simultaneously sent to other agencies for concurrent review. For example, so NSC might go to State, Defense, the NSC, Treasury, etc., as well as to the CIA. Each reviewing agency examines the document and makes a determination considering only its own equities. Such documents should not be sent directly to the requester. They should be referred to NARS, as is now done, so that NARS can make the final decision after consideration of the views of all agencies having an interest in the subject matter. For this reason, I request that you insert the phrase "unless instructed to do otherwise," following "...by the Archivist," in the next-to-last line of 3-504.

ces

Approved For Release 2006/04/19 : CIA-RDP86-00674R000300090004-4

☐ SECRET☐ CONFIDENTIAL☐ INTERNAL USE ONLY☒ UNCLASSIFIED



3-500 Information classified under E.O. 12065 and this Regulation, or under previous Executive Orders and/or applicable United States Government regulations, is subject to mandatory review for declassification and release upon request by any other Government agency, employee of the Government, or individual member of the public provided that each such request reasonably describes or identifies the information being sought. After review, the information requested or any reasonably segregable portion thereof that is determined no longer to require protection for reasons of national security, as specified under E.O. 12065 and this Regulation (section 3-3 above) shall be declassified and released; unless withholding is otherwise warranted under applicable law. The above notwithstanding,

(a) requests for declassification submitted under the provisions of the Freedom of Information Act (5 U.S.C. 552) shall be processed as provided therein;

(b) classified information covered by section 3-503 below is exempt from mandatory review for declassification; and

(c) Foreign government information (section 1-301(b), above) contained in any classified document which is the subject of a mandatory review request shall be declassified only in accordance with section 3-406 above.

3-501

The CIA component of record for all requests submitted to the Agency for mandatory review, declassification and release of information pursuant to E.O. 12065, the Freedom of Information Act as amended (5 U.S.C. 552) and the Privacy Act of 1974 (5 U.S.C. 552a) is the CIA Information and Privacy Staff (IPS), which is responsible for the administration of the Agency system for receipt, acknowledgement and processing of such requests. The functions of the IPS include:

- (a) maintenance of the Agency records system which contains all official correspondence and other records pertinent to mandatory review requests;
- (b) initial determination as to whether each such request provides sufficient data to permit a records search for the information requested;
- (c) assignment of record-search requirements to other appropriate Agency components that may be able to locate requested information, and guidance to such components as to the correct interpretation of requesters' queries;
- (d) acknowledgement of each review request and the preparation of appropriate responses to requesters within statutory time limits, with the assistance of those Agency components that hold or are otherwise responsible for the requested information and in coordination with the CIA's Office of General Counsel (OGC).

(e) correspondence with and referral to any other Government agency or agencies responsible for, or having a direct interest in, classified information which is the subject of a mandatory review request directed to the CIA and which is in the custody thereof although originated or classified by, or of concern to, such other agency or agencies;

(f) processing requests for amendment of Agency records concerning individuals, and appeals against CIA decisions on these and other mandatory review requests.

(g) establishment of fair and equitable fees chargeable for services rendered, as provided under Title 5 of the Independent Offices Appropriation Act (65 Stat. 290, 31 U.S.C. 483a, 1976), in connection with requests for mandatory review for declassification. Schedules of the Agency fees for such services shall be published in the Federal Register, by specific provision of E.O. 12065.

3-502 Requests originating outside the Agency for mandatory review of information within the jurisdiction of the CIA under the provisions of E.O. 12065, the Freedom of Information Act, or the Privacy Act should be addressed to the Chief, IPS as follows:

Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, D.C. 20505

Requests otherwise addressed to the Agency (e.g., to the  
Approved For Release 2006/04/19 : CIA-RDP86-00674R000300090004-4  
Director of Central Intelligence, the Deputy Director, the  
CIA Office of Personnel, etc.) shall be promptly referred to  
the IPS by any Agency component that receives a request  
considered to fall under the provisions of either  
Act, or of the Order, or which is otherwise deemed to  
constitute a mandatory review request that should be processed  
in accordance therewith. Upon receipt of such a referral,  
the IPS shall process it as provided herein (section 3-5) and  
as further specified under the detailed procedures established  
by the IPS pursuant to the Order.

3-503 The provisions of section 3-500 above shall not apply to  
classified information in the custody of, or of interest  
to, the Agency, and which:

(a) is less than ten years old; and

(b) was originated by the President of the United States,  
by the White House Staff, by committees or commissions  
appointed by the President, or by others acting on behalf,  
of the President.

Such information is exempt from mandatory review for declassification, but classified information meeting the criteria cited in (b) above, and which is more than ten years old, shall be subject to such review in accordance with procedures developed by the Archivist of the United States. These procedures shall provide for consultation with the Agency in the case of

mandatory review request for information of ordinary  
Approved For Release 2006/04/19 : CIA-RDP86-00674R000300090004-4  
interest to the CIA.

3-504

Requests for declassification of classified documents of interest to or originated by the CIA, or by a predecessor agency, but in the possession or control of the Administrator of General Services pursuant to 44 U.S.C. 2107 or 2107 note (section 3-400(b), above) shall be referred to the Agency by the Archivist of the United States and shall be processed by the CIA Information and Privacy Staff (IPS) in accordance with this Regulation (sections 3-501/502, above). Following referral of any such request by the Archivist, <sup>unless instructed to do otherwise,</sup> the Agency shall respond directly to each requester as provided herein and under established IPS procedures.

No CIA component, official or employee shall, in response to any request for a document or other item of information under the Freedom of Information Act or the Mandatory Review provisions of E.O. 12065 and of this Regulation, refuse to confirm the existence or non existence of that document or item unless the fact of its existence or non-existence would itself be classifiable under this Regulation (sections 1-1 and 1-3, above).

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ASSOCIATED WITH THE IMPLEMENTATION OF  
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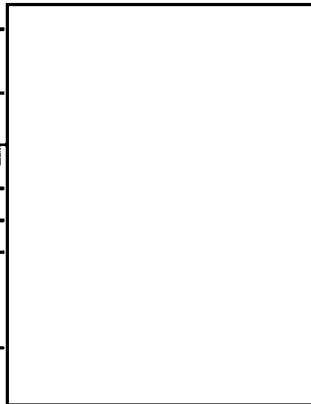
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A. TASK FORCE - Chairman -

DDO -  
NFAC  
DDS&T  
DDA -  
OGC -  
IPS -  
  
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RAB -



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DDO -  
NFAC -  
DDS&T -  
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A. TASK FORCE - Chairman

OGC -  
RAB -  
OS -  
OTR -



STAT

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IV. SAFEGUARDING

A. TASK FORCE - Chairman - [REDACTED]

STAT

DDA -  
DDO -  
DDS&T -  
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OGC -  
OS -

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3. Appointment of representatives to the various task forces and agreement that additional personnel will be made available if required.

DECISIONS REQUIRED

1. Should final review and approval of entire implementation package be accomplished by EAG or some other group?

RECORDS AND CORRESPONDENCE

HN ☐

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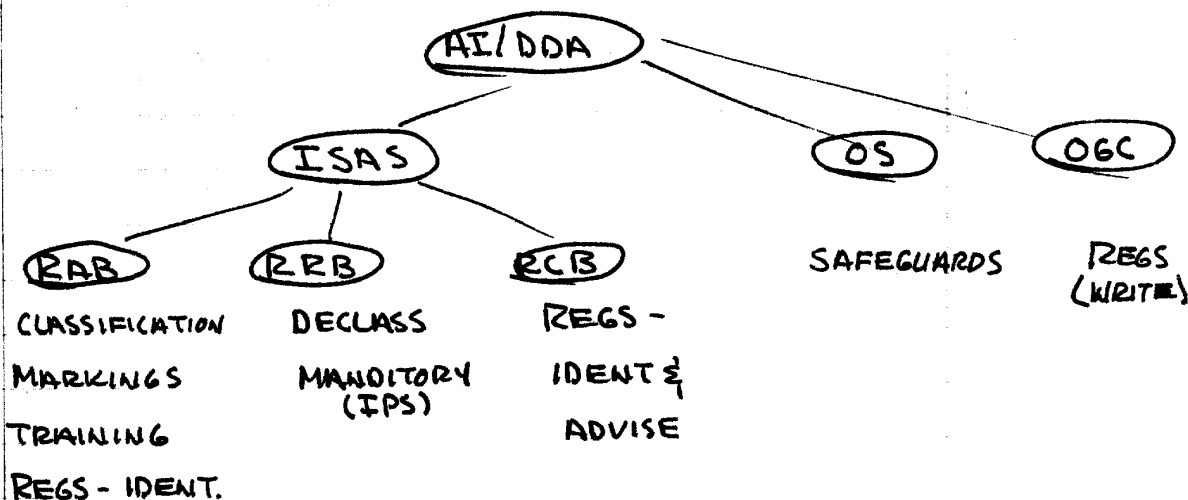
EXECUTIVE ORDER 12065  
NATIONAL SECURITY INFORMATION

On 28 June 1978 the President signed Executive Order 12065 concerning classification, declassification, and safeguarding of national security information. It replaces Executive Order 11652 and becomes effective on 1 December 1978. An Agency task force has been established under the Deputy Director for Administration to develop internal policies and procedures for implementing the new Order. As these policies and procedures are developed and approved, they will be made available to Agency employees. In the meantime it is recommended that all employees whose duties will be affected by the new Executive order make every effort to become as familiar as possible with its requirements.

JOHN F. BLAKE  
Deputy Director  
for  
Administration

DISTRIBUTION: ALL EMPLOYEES

July 12 @ 1000

PROPOSED ORGANIZATIONMEETING - A/DDA - TUES, 27 JUNE

1. IDENTIFY ABOVE STRUCTURE & GET APPROVAL
2. " SUB GROUPS & MEET IN 2 WKS - GET APPROV.

SECOND MTG W/ A/DDA

1. PRESENT PROPOSED STRUCTURE FOR SUB GROUPS
2. " GENERAL APPROACH TO BE USED BY EACH.
3. PROJECT COMPLETION DATE.

STAT

☐ - Classification or non Classification of *SECRET* STAT  
☐ - Broad definition of Official Data ☐  
 Needs to be listed as